

Robert A. Julian (SBN 99469)
Cecily A. Dumas (SBN 111449)
BAKER & HOSTETLER LLP
1160 Battery Street, Suite 100
San Francisco, CA 94111
Telephone: 628.208.6434
Facsimile: 310.820.8859
Email: rjulian@bakerlaw.com
Email: cdumas@bakerlaw.com

Eric E. Sagerman (SBN 155496)
Lauren T. Attard (SBN 320898)
BAKER & HOSTETLER LLP
11601 Wilshire Blvd., Suite 1400
Los Angeles, CA 90025-0509
Telephone: 310.442.8875
Facsimile: 310.820.8859
Email: esagerman@bakerlaw.com
Email: lattard@bakerlaw.com

*Counsel for Official
Committee of Tort Claimants*

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re:

PG&E CORPORATION

-and-

**PACIFIC GAS AND ELECTRIC
COMPANY,**

Debtors.

- ☐ Affects PG&E Corporation
- ☐ Affects Pacific Gas and Electric Company
- ☒ Affects both Debtors

**All papers shall be filed in the Lead Case,
No. 19-30088 (DM)*

Bankruptcy Case
No. 19-30088 (DM)

Chapter 11
(Lead Case)
(Jointly Administered)

**STATEMENT OF THE OFFICIAL
COMMITTEE OF TORT CLAIMANTS
REGARDING MOTION BY THE CITY
AND COUNTY OF SAN FRANCISCO
FOR DETERMINATION THAT
AUTOMATIC STAY DOES NOT APPLY
UNDER § 362(b)(4) OR IN THE
ALTERNATIVE, FOR RELIEF UNDER §
362(d)(1) AND MEMORANDUM OF
POINTS AND AUTHORITIES IN
SUPPORT (DKT. NO. 1535)**

Date: May 9, 2019
Time: 9:30 a.m. (Pacific Time)
Place: United States Bankruptcy Court
Courtroom 17, 16th Floor
San Francisco, CA 94102

Preliminary Objections Due: May 2, 2019

1 The Official Committee of Tort Claimants (the “**TCC**”) of PG&E Corporation and Pacific
2 Gas and Electric Company (collectively, “**PG&E**”) hereby submits this statement (the
3 “**Statement**”) in accordance with the Docket Text Order entered by the Court on April 29, 2019,
4 and in response to the Motion by the City and County of San Francisco for Determination that
5 Automatic Stay Does Not Apply Under § 362(b)(4) or in the Alternative, for Relief From the
6 Automatic Stay Under § 362(d)(1) and Memorandum of Points and Authorities in Support (Dkt.
7 No. 1535) (the “**Motion**”). In support of the Statement, the Committee respectfully states as
8 follows:

9 1. The Motion alleges that the automatic stay does not apply to various disputes (the
10 “**Proceedings**”) between the City and County of San Francisco (“**San Francisco**”) and PG&E
11 pending before the Federal Energy Regulatory Commission (“**FERC**”) because the Proceedings
12 constitute a governmental unit’s enforcement of regulatory powers. Alternatively, the Motion
13 argues that if the automatic stay applies, cause exists to lift the stay to permit the Proceedings to
14 continue before FERC.

15 2. The TCC does not oppose San Francisco’s request to permit the Proceedings to
16 proceed before FERC to a final determination on the issue of PG&E’s compliance with the
17 Wholesale Distribution Tariffs (“**WDT**”), including to the extent San Francisco is moving for
18 relief to determine how the WDT should be implemented going forward. Notwithstanding, the
19 TCC respectfully requests that San Francisco be prohibited from liquidating or estimating claims
20 or from seeking payment, recoupment or setoff.

1 3. The TCC respectfully reserves the right to file further submissions or to join in
2 other responses to the Motion.

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4 Dated: May 2, 2019

Respectfully submitted,

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6 BAKER & HOSTETLER LLP

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8 By: /s/ Cecily A. Dumas

9 Cecily A. Dumas

10 Attorneys for Official Committee of Tort Claimants
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